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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/221,542	12/28/1998	JACQUES JOSEPH LABRIE	ST9-98-004	4441

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ALBERT P. SHARPE, III
FAY, SHARPE, BEALL, FAGAN,
MINNICH & MCKEE
1100 SUPERIOR AVENUE, SUITE 700
CLEVELAND, OH 44114

EXAMINER

CHEN, TE Y

ART UNIT PAPER NUMBER

2171

DATE MAILED: 04/30/2004

17

Please find below and/or attached an Office communication concerning this application or proceeding.

SK

Office Action Summary

Application No.

09/221,542

Applicant(s)

LABRIE, JACQUES JOSEPH

Examiner

Susan Y Chen

Art Unit

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 09 April 2004.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-28 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-28 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

1. This office action is in response to amendment filed on 04/09/2004 (paper # 16), the examiner agrees to withdraw the finality of the previous office action filed on 02/12/2004 based on applicant's arguments for claiming the provisional priority of January 26, 1998.
2. Claims 1-28 remain for examination.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3. Claims 1-28 are rejected under 35 U.S.C. 102(b) as being anticipated by Alston, Jr. et al. (U. S. Patent No. 5,315,709).

As to claims 1, 7, 13, 19 and 27-28, Alston et al. (hereinafter referred as Alston) disclose a computer system with means/methods/computer program product to perform the functions as claimed by applicant, comprising:

a) a computer having a memory, and a data storage device coupled thereto that stores data [e.g., Abstract, Fig(s) 1A-1D and associated texts];

b) one or more computer programs, performed by the computer, for, in response to receiving user input, selecting a target object in an information catalog and providing information about a source data from which the target object was derived via a transformation performed on contents of the source data [e.g., the Bachman Analyst TM, col. 1, line 60 – col. 2, line 3, col. 7, lines 21 – col. 8, line 46; Fig. 1B and associated texts];

c) a plurality of objects including a target object [e.g., the unit 42, Fig. 2] wherein the target object was derived from one or more transformations of one or more sources data [e.g., 32, Fig. 2; col. 13, Forward/Reverse Transformation section];

d) a transformation lineage system which stores transformation lineage information for the target object, the transformation lineage information associating the target object with the one or more transformations and identifying the one or more data sources [e.g., the Transformation system 10, Fig(s). 1A-2 and associated texts];

e) a user interface [e.g., the Bachman 3.10 interface of Fig(s). 5A – 8], for receiving user input for selecting one of the plurality of objects; wherein, the user interface configure to display the transformation lineage information in response to receiving user selected input [e.g., Fig(s). 5A-8 and associated texts].

As to claims 2, 8, 14 and 20-21, Alston further disclosed the target object [e.g., the node 42, Fig. 2] and the information are represented as a node in a tree structure

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[e.g., the data structure containing a set of nodes that are linked in a hierarchical fashion as shown in Fig. 2].

As to claims 3, 9, 15, 22 and 24, Alston further disclosed the system having one or more computer programs including means and logic for providing the transformation information of source to target [e.g., the Bachman Analyst TM, col. 1, line 60 – col. 2, line 3; the unique naming schema at col. 4, lines 12-27].

As to claims 4, 10, 16 and 23, Alston further disclosed the system having means to identify a transformation producing function [e.g. the meta system 22, 24 of the Workstation Manager 20, Fig. 1; col. 8, lines 14-25].

As to claims 5, 11, 17 and 25, Alston further disclosed the system having means for providing lineage information [e.g., the hierarchy order of the linear engineering design space, Fig. 2].

As to claims 6, 12, 18 and 26, Alston further disclosed the system having means for maintaining one or more transformation models for use in providing the lineage information [e.g., the engineering and reverse engineering processing at col. 8, lines 47-63].

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Response to Arguments

Applicant's arguments with respect to claims 1-28 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

To expedite the process of examination, the examiner requests that all future correspondences in regard to overcoming prior art rejections or other issues (e.g. 35 U.S.C. 112) set forth by the Examiner prior to the office action, that applicant should provide and link to the most specific page and line numbers of the disclosure where best support is found (see 35 U.S.C. 132).

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of

the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Susan Y Chen whose telephone number is (703) 308-1155. The examiner can normally be reached on Monday - Friday from 7:00-4:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Safet Metjahic can be reached on (703) 308-1436. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Susan Y Chen
Examiner
Art Unit 2171

April 26, 2004



UYEN LE
PRIMARY EXAMINER